

IN THE IOWA DISTRICT COURT IN AND FOR BUTLER COUNTY

STATE OF IOWA,

Plaintiff,

vs.

MARK DARYK BECKER,

Defendant.

Criminal No. FECR008809

**Conditional Motion for Change
of Venue**

COMES NOW the State of Iowa and conditionally moves this Court for a change of venue. As grounds, the prosecution states that in order to preserve the right under I.R.Crim.P. Rule 2.33(4) and Iowa Code §803.2 to a 30 day extension of time in which to recommence trial, the State hereby requests a change of venue in the event that, after the commencement of jury selection on February 8, 2010, it becomes apparent that a change of venue is appropriate under I.R.Crim.P. Rule 2.11.

Dated this _____ day of _____, 2010.

SCOTT D. BROWN AT0001213
ANDREW B. PROSSER AT0006497
Assistant Iowa Attorneys General
Hoover State Office Building, 2nd Floor
Des Moines, Iowa 50319
Phone: (515) 281-3648
Fax: (515) 281-8894
Sbrown@ag.state.ia.us
Andrew.Prosser@iowa.gov

Greg Lievens
Butler County Attorney
P.O. Box 307
Allison, IA 50602
Phone: (319) 367-2521
FAX: (319) 367-2521
glievens@butlercoiowa.org

Original filed.
Copy to: Sue Flander

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record, or the parties if unrepresented, at their respective addresses disclosed on the pleadings.

By: _____ U.S. Mail _____ Fax _____ Courthouse Mail _____
Hand delivered _____ Certified Mail _____ Email to
SFlander@spd.state.ia.us _____ Other _____

Signature: _____
Date: _____